

**Senate Study Bill 3081 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
PUBLIC DEFENSE BILL)

**A BILL FOR**

1 An Act relating to the department of public defense by making  
2 changes regarding the Iowa military code and military  
3 service, including terminology modifications and leases  
4 entered into by the department of public defense and the  
5 armory board, and including effective date provisions.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8A.321, subsection 6, Code Supplement  
2 2011, is amended by adding the following new paragraph:

3 NEW PARAGRAPH. *d.* This subsection shall not apply to the  
4 department of public defense or the armory board.

5 Sec. 2. Section 8A.327, subsection 1, Code Supplement 2011,  
6 is amended to read as follows:

7 1. A rent revolving fund is created in the state treasury  
8 under the control of the department to be used by the  
9 department to pay the lease or rental costs of all buildings  
10 and office space necessary for the proper functioning of any  
11 state agency, except the department of public defense or the  
12 armory board, wherever located throughout the state as provided  
13 in section 8A.321, subsection 6, except that this fund shall  
14 not be used to pay the rental or lease costs of a state agency  
15 which has not received funds budgeted for rental or lease  
16 purposes.

17 Sec. 3. Section 8A.402, subsection 2, paragraph f,  
18 subparagraphs (1) and (2), Code 2011, are amended to read as  
19 follows:

20 (1) Develop, in consultation with the department of  
21 veterans affairs, programs to inform state employees who are  
22 members of the national guard or organized reserves of the  
23 armed forces of the United States, and their families, of their  
24 rights and benefits while the member is deployed in active  
25 federal service active duty.

26 (2) Develop, in consultation with the department of  
27 veterans affairs and the department of workforce development,  
28 programs to inform members of the national guard or organized  
29 reserves of the armed forces of the United States returning to  
30 Iowa following active federal service active duty about job  
31 opportunities in state government.

32 Sec. 4. Section 8A.402, subsection 2, paragraph f,  
33 subparagraph (3), subparagraph division (a), Code 2011, is  
34 amended to read as follows:

35 (a) Programs to inform disabled veterans returning to the

1 state after ~~active federal service~~ active duty about federally  
2 funded job training opportunities in state government, pursuant  
3 to 38 U.S.C. ch. 31.

4 Sec. 5. Section 16.54, subsection 1, Code 2011, is amended  
5 to read as follows:

6 1. For the purposes of this section, "*eligible member of the*  
7 *armed forces of the United States*" means a person who is or was  
8 a member of the national guard, reserve, or regular component  
9 of the armed forces of the United States who has served at  
10 least ninety days of active duty service beginning on or after  
11 September 11, 2001. "*Eligible member of the armed forces of*  
12 *the United States*" also means a former member of the national  
13 guard, reserve, or regular component of the armed forces of  
14 the United States who was honorably discharged due to injuries  
15 incurred while on ~~active federal service~~ active duty beginning  
16 on or after September 11, 2001, that precluded completion of  
17 a minimum aggregate of ninety days of ~~active federal service~~  
18 active duty.

19 Sec. 6. Section 29A.1, subsection 3, Code 2011, is amended  
20 to read as follows:

21 3. "*Federal service*" *active duty* means full-time duty in  
22 the active military service of the United States authorized  
23 and performed under the provisions of Tit. 10 U.S.C. as part  
24 ~~of the active military forces of the United States or the army~~  
25 ~~national guard of the United States or the air national guard~~  
26 of the United States Code.

27 Sec. 7. Section 29A.1, Code 2011, is amended by adding the  
28 following new subsection:

29 NEW SUBSECTION. 7A. "*National guard duty*" means training  
30 or other duty authorized and performed under the provisions of  
31 32 U.S.C. § 316 or 32 U.S.C. §§ 502 through 505 as part of the  
32 national guard and paid for with federal funds. "*National guard*  
33 *duty*" includes but is not limited to full-time national guard  
34 duty pursuant to 32 U.S.C. § 502(f) and inactive duty training  
35 and annual training pursuant to 32 U.S.C § 502(a).

1 Sec. 8. Section 29A.1, subsection 9, Code 2011, is amended  
2 to read as follows:

3 9. "On duty" means training, including unit training  
4 assemblies, and other training, operational duty, and other  
5 service which may be required under state or federal law,  
6 regulations, or orders, and the necessary travel of an officer  
7 or enlisted person to the place of performance and return home  
8 after performance of that duty, but does not include federal  
9 service active duty. A member of the national guard shall  
10 be considered to be on duty when called to testify about an  
11 incident which the member observed or was involved in while  
12 that member was on duty.

13 Sec. 9. Section 29A.1, subsection 12, Code 2011, is amended  
14 by striking the subsection.

15 Sec. 10. Section 29A.7, subsections 1 and 2, Code 2011, are  
16 amended to read as follows:

17 1. The governor is the commander in chief of the military  
18 forces, except when they are ~~in~~ on federal ~~service~~ active  
19 duty. The governor may employ the military forces of the state  
20 for the defense of the state, to provide assistance to civil  
21 authorities in emergencies resulting from disasters or public  
22 disorders as defined in section 29C.2, including homeland  
23 security and defense duties, and for parades and ceremonies of  
24 a civic nature.

25 2. The governor shall provide for the participation of the  
26 national guard in training at the times and places as necessary  
27 to ensure readiness for public defense or federal ~~service~~  
28 active duty.

29 Sec. 11. Section 29A.8A, Code 2011, is amended to read as  
30 follows:

31 **29A.8A ~~State military service~~ National guard duty.**

32 1. If federal funding and authorization exist for ~~this~~ the  
33 purpose identified by the governor, the governor may order to  
34 ~~state military service~~ national guard duty the military forces  
35 of the ~~Iowa army national guard or Iowa air national guard~~ as

1 the governor may deem appropriate ~~for the purposes of homeland~~  
2 ~~security, homeland defense, or other duty.~~

3 2. A state employee shall take either a full day's leave in  
4 accordance with section 29A.28 or eight hours of compensatory  
5 time on a day in which the state employee receives a full day's  
6 pay from federal funds for ~~state military service~~ national  
7 guard duty.

8 3. When performing ~~state military service~~ national guard  
9 duty, the adjutant general, a deputy adjutant general, or the  
10 state quartermaster shall not be considered a state employee,  
11 except for purposes of the Iowa public employees' retirement  
12 system, state health and dental plans, and other state employee  
13 benefits plans.

14 Sec. 12. Section 29A.15, Code 2011, is amended to read as  
15 follows:

16 **29A.15 State awards and decorations.**

17 The adjutant general, from the funds appropriated for the  
18 support and maintenance of the national guard, shall procure  
19 and issue to the members of the national guard merit or  
20 service badges or other appropriate awards for service under  
21 regulations and according to the design and pattern determined  
22 by the adjutant general. Members of the national guard who, by  
23 order of the president, serve in federal forces during national  
24 emergency, may count the period of that federal ~~service~~ active  
25 duty toward the procurement of a service badge.

26 Sec. 13. Section 29A.19, Code Supplement 2011, is amended  
27 to read as follows:

28 **29A.19 Quartermaster.**

29 A present or retired member of the national guard who has  
30 ten years' service in the ~~Iowa army national guard or the Iowa~~  
31 ~~air national guard~~ shall be detailed to be the quartermaster  
32 ~~and property officer of the state~~, who shall ~~have charge of and~~  
33 ~~be accountable~~ responsible for, under the adjutant general,  
34 all state military property and facilities. ~~The quartermaster~~  
35 ~~shall keep property returns and reports and give bond to the~~

1 ~~state of Iowa as the governor may direct.~~

2 Sec. 14. Section 29A.27, subsections 1 and 3, Code  
3 Supplement 2011, are amended to read as follows:

4 1. Officers and enlisted persons while in state active  
5 duty shall receive the same pay, per diem, and allowances as  
6 are paid for the same rank or grade for federal ~~service~~ active  
7 duty. However, a person shall not be paid at a base rate of  
8 pay of less than one hundred dollars per calendar day of state  
9 active duty.

10 3. Where the provisions of this section may be applicable  
11 or at other times as considered necessary, ~~but at least once a~~  
12 ~~year~~, the adjutant general shall appoint a state review board  
13 consisting of three officers, one of whom shall be a medical  
14 officer, for the purpose of determining the continuation of  
15 benefits for individuals who have established their eligibility  
16 under this section. Once established, benefits shall be paid  
17 until terminated by the review board and shall continue for the  
18 duration of the disability even though the individual may no  
19 longer be medically qualified for military service and may have  
20 been discharged from the national guard.

21 Sec. 15. Section 29A.28, subsections 1 and 3, Code 2011, are  
22 amended to read as follows:

23 1. a. All officers and employees of the state, a  
24 subdivision thereof, or a municipality, other than employees  
25 employed temporarily for six months or less, who are members of  
26 the national guard, organized reserves or any component part  
27 of the military, naval, or air forces or nurse corps of this  
28 state or nation, or who are or may be otherwise inducted into  
29 the military service of this state or of the United States, or  
30 who are members of the civil air patrol, shall, when ordered by  
31 proper authority to state active duty, ~~state military service~~  
32 national guard duty, or federal ~~service~~ active duty, or when  
33 performing a civil air patrol mission pursuant to section  
34 29A.3A, be entitled to a leave of absence from such civil  
35 employment for the period of state active duty, ~~state military~~

1 ~~service~~ national guard duty, federal ~~service~~ active duty, or  
2 civil air patrol duty without loss of status or efficiency  
3 rating, and without loss of pay during the first thirty days of  
4 such leave of absence.

5     **b.** Where state active duty, ~~state military service~~ national  
6 guard duty, federal ~~service~~ active duty, or civil air patrol  
7 duty is for a period of less than thirty days, a leave of  
8 absence under this section shall only be required for those  
9 days that the civil employee would normally perform services  
10 for the state, subdivision of the state, or a municipality.  
11 The provisions of this section shall also apply to a leave of  
12 absence by a member of the national disaster medical system  
13 of the United States when activated for federal service with  
14 the system. If the workday for a civil employee encompasses  
15 more than one calendar day, the civil employee shall only  
16 be required to take a leave of absence for one day for that  
17 workday if a leave of absence is required under this paragraph.

18     **3.** Upon returning from a leave of absence under this  
19 section, an employee shall be entitled to return to the same  
20 position and classification held by the employee at the time of  
21 entry into state active duty, ~~state military service~~ national  
22 guard duty, federal ~~service~~ active duty, or civil air patrol  
23 duty, or to the position and classification that the employee  
24 would have been entitled to if the continuous civil service of  
25 the employee had not been interrupted by state active duty,  
26 ~~state military service~~ national guard duty, federal ~~service~~  
27 active duty, or civil air patrol duty. Under this subsection,  
28 "*position*" includes the geographical location of the position.

29     Sec. 16. Section 29A.43, subsections 1 and 2, Code  
30 Supplement 2011, are amended to read as follows:

31     **1.** A person shall not discriminate against any officer or  
32 enlisted person of the national guard or organized reserves  
33 of the armed forces of the United States or any member of the  
34 civil air patrol because of that membership. An employer,  
35 or agent of an employer, shall not discharge a person from

1 employment because of being an officer or enlisted person of  
2 the military forces of the state or member of the civil air  
3 patrol, or hinder or prevent the officer or enlisted person or  
4 member of the civil air patrol from performing any military  
5 service or civil air patrol duty the person is called upon to  
6 perform by proper authority. A member of the national guard  
7 or organized reserves of the armed forces of the United States  
8 ordered to temporary duty or service, as defined in section  
9 29A.1, subsection 3, 7A, or ~~11, or 12~~, or a member of the  
10 civil air patrol performing duty pursuant to section 29A.3A,  
11 for any purpose is entitled to a leave of absence during  
12 the period of the duty or service, from the member's private  
13 employment unless the employment is of a temporary nature.  
14 Upon completion of the duty or service, the employer shall  
15 restore the person to the position held prior to the leave of  
16 absence or employ the person in a position of like seniority,  
17 status, and pay. However, the person shall give evidence to  
18 the employer of satisfactory completion of the duty or service,  
19 and that the person is still qualified to perform the duties of  
20 the position. The period of absence shall be construed as an  
21 absence with leave, and shall in no way affect the employee's  
22 rights to vacation, sick leave, bonus, or other employment  
23 benefits relating to the employee's particular employment.

24 2. An officer or enlisted person of the national guard or  
25 organized reserves of the armed forces of the United States who  
26 is insured as a dependent under a group policy for accident or  
27 health insurance as a full-time student less than twenty-five  
28 years of age, whose coverage under the group policy would  
29 otherwise terminate while the officer or enlisted person  
30 was on a leave of absence during a period of temporary duty  
31 or service, as defined for members of the national guard in  
32 section 29A.1, subsection 3, 7A, or ~~11, or 12~~, or as a member  
33 of the organized reserves called to active duty from a reserve  
34 component status, shall be considered to have been continuously  
35 insured under the group policy for the purpose of returning to

1 the insured dependent status as a full-time student who is less  
2 than twenty-five years of age. This subsection does not apply  
3 to coverage of an injury suffered or a disease contracted by a  
4 member of the national guard or organized reserves of the armed  
5 forces of the United States in the line of duty.

6 Sec. 17. Section 29A.53, unnumbered paragraph 3, Code 2011,  
7 is amended to read as follows:

8 Officers and enlisted personnel called into federal  
9 service active duty through the national guard shall upon  
10 completion of such service duty continue to serve the balance  
11 of their enlistment period the same as though it had not been  
12 interrupted by such service duty.

13 Sec. 18. Section 29A.65, Code 2011, is amended to read as  
14 follows:

15 **29A.65 Activation.**

16 Whenever any part of the national guard is ~~in~~ on federal  
17 service active duty the governor may activate such part of the  
18 unorganized militia, to be designated the "Iowa State Guard",  
19 as the governor may deem necessary, subject to provisions  
20 of federal law and regulations relating to such military  
21 organizations.

22 Sec. 19. Section 29A.67, Code 2011, is amended to read as  
23 follows:

24 **29A.67 Chief of staff.**

25 In the event the state headquarters of the national guard is  
26 inducted into federal service active duty, the governor shall  
27 appoint a chief of staff for the Iowa state guard.

28 Sec. 20. Section 29A.90, subsection 3, Code 2011, is amended  
29 to read as follows:

30 3. "*Military service*" means full-time ~~state military service~~  
31 national guard duty or state active duty, as defined in section  
32 29A.1, for a period of at least ~~ninety~~ thirty consecutive days,  
33 commencing on or after ~~April 22, 2002~~ the effective date of  
34 this Act.

35 Sec. 21. Section 29B.1, Code 2011, is amended to read as

1 follows:

2 **29B.1 Persons subject to code.**

3 This chapter applies to all members of the state military  
4 forces, while not ~~in~~ on federal ~~service~~ active duty. As used  
5 in this chapter, unless the context otherwise requires, "state  
6 *military forces*" has the same meaning as in section 29A.6, and  
7 "code" means this chapter, which may be cited as the "*Iowa Code*  
8 *of Military Justice*".

9 Sec. 22. Section 29B.13, unnumbered paragraph 1, Code 2011,  
10 is amended to read as follows:

11 Under regulations as may be prescribed under this code a  
12 person subject to this code who is on ~~state military service~~  
13 national guard duty or state active duty who is accused of an  
14 offense against civil authority may be delivered, upon request,  
15 to the civil authority for trial.

16 Sec. 23. Section 29B.21, Code 2011, is amended to read as  
17 follows:

18 **29B.21 Confinement instead of fine.**

19 In the state military forces, not ~~in~~ on federal ~~service~~  
20 active duty, a court-martial may, instead of imposing a fine,  
21 sentence to confinement for not more than one day for each  
22 three dollars of the authorized fine.

23 Sec. 24. Section 29B.22, unnumbered paragraph 2, Code 2011,  
24 is amended to read as follows:

25 The adjutant general shall designate a staff judge advocate  
26 for the army national guard and the air national guard. The  
27 adjutant general may appoint the number of judge advocates of  
28 the state military forces as the adjutant general considers  
29 necessary to perform state active duty to supplement or replace  
30 national guard judge advocates in emergencies or when the  
31 national guard judge advocates are ~~in~~ on federal ~~service~~ active  
32 duty.

33 Sec. 25. Section 29C.21, subsection 13, Code 2011, is  
34 amended to read as follows:

35 13. *Article XIII — Additional provisions.* Nothing in this

1 compact shall authorize or permit the use of military force by  
2 the national guard of a state at any place outside that state  
3 in any emergency for which the president is authorized by law  
4 to call into federal ~~service~~ active duty the militia, or for  
5 any purpose for which the use of the army or the air force would  
6 in the absence of express statutory authorization be prohibited  
7 under 18 U.S.C. § 1385.

8 Sec. 26. Section 35.1, subsection 2, paragraph b,  
9 subparagraph (1), Code 2011, is amended to read as follows:

10 (1) Former members of the reserve forces of the United  
11 States who served at least twenty years in the reserve forces  
12 and who were discharged under honorable conditions. However, a  
13 member of the reserve forces of the United States who completed  
14 a minimum aggregate of ninety days of ~~active federal service~~  
15 active duty, other than training, and was discharged under  
16 honorable conditions, or was retired under Tit. 10 of the  
17 United States Code shall be included as a veteran.

18 Sec. 27. Section 35.1, subsection 2, paragraph c, Code 2011,  
19 is amended to read as follows:

20 c. A resident of this state who served on ~~active federal~~  
21 ~~service~~ active duty, other than training, in the armed forces  
22 of the United States and who was discharged under honorable  
23 conditions.

24 Sec. 28. Section 35.9, subsection 1, paragraph a, Code 2011,  
25 is amended to read as follows:

26 a. The department may expend not more than six hundred  
27 dollars per year for any one child who has lived in the state of  
28 Iowa for two years preceding application for state educational  
29 assistance, and who is the child of a person who died prior  
30 to September 11, 2001, during ~~active federal military service~~  
31 active duty while serving in the armed forces or during ~~active~~  
32 ~~federal military service~~ active duty in the Iowa national  
33 guard or other military component of the United States, to  
34 defray the expenses of tuition, matriculation, laboratory and  
35 similar fees, books and supplies, board, lodging, and any other

1 reasonably necessary expense for the child or children incident  
2 to attendance in this state at an educational or training  
3 institution of college grade, or in a business or vocational  
4 training school with standards approved by the department.

5 Sec. 29. Section 35.9, subsection 2, paragraph a, Code 2011,  
6 is amended to read as follows:

7 a. Upon application by a child who is less than thirty-one  
8 years of age, and who is the child of a person who died on  
9 or after September 11, 2001, during ~~active federal military~~  
10 ~~service~~ active duty while serving in the armed forces or  
11 during ~~active federal military service~~ active duty in the  
12 Iowa national guard or other military component of the United  
13 States, and who at the time of entering into federal active  
14 ~~military service~~ duty had maintained the person's residence  
15 in the state for a period of at least six months immediately  
16 before entering into federal active ~~military service~~ duty,  
17 the department shall provide state educational assistance in  
18 an amount of no more than the highest resident undergraduate  
19 tuition rate established per year for an institution of higher  
20 learning under the control of the state board of regents less  
21 the amount of any state and federal education benefits, grants,  
22 or scholarships received by the child, or the amount of the  
23 child's established financial need, whichever is less, to  
24 defray the expenses of tuition at any postsecondary educational  
25 institution in this state.

26 Sec. 30. Section 69.20, subsections 1 and 3, Code 2011, are  
27 amended to read as follows:

28 1. A temporary vacancy in an elective office of a political  
29 subdivision, community college, or hospital board of trustees  
30 of this state occurs on the date when the person filling that  
31 office is placed on ~~state military service~~ national guard duty  
32 or federal ~~service~~ active duty, as those terms are defined  
33 in section 29A.1, and when such a person will not be able to  
34 attend to the duties of that person's elective position for  
35 a period greater than sixty consecutive days. The temporary

1 vacancy terminates on the date when such person is released  
2 from such service, or the term of office expires.

3 3. Upon the termination of a temporary vacancy due to  
4 a person's release from ~~state military service~~ national  
5 guard duty or federal ~~service~~ active duty, the person who  
6 held the elective office just prior to the temporary vacancy  
7 shall immediately be deemed to have been reinstated to that  
8 position and the person who filled the temporary vacancy shall  
9 immediately be deemed to have been removed from that office.

10 Sec. 31. Section 96.7, subsection 2, paragraph a,  
11 subparagraph (2), subparagraph division (e), subparagraph  
12 subdivision (i), Code 2011, is amended to read as follows:

13 (i) A member of the national guard or organized reserves  
14 of the armed forces of the United States ordered to temporary  
15 duty, as defined in section 29A.1, subsection 3, 7A, or 11, ~~or~~  
16 ~~12~~, for any purpose, who has completed the duty as evidenced in  
17 accordance with section 29A.43.

18 Sec. 32. Section 144.13B, Code Supplement 2011, is amended  
19 to read as follows:

20 **144.13B Waiver of fees — military service.**

21 Notwithstanding any provision of this chapter to the  
22 contrary, the certified copy fees for a birth certificate or  
23 death certificate of a service member who died while performing  
24 military duty, as defined in section 29A.1, subsection 3, 7A,  
25 or 11, ~~or 12~~, shall be waived for a period of one year from  
26 the date of death for a family member of the deceased service  
27 member.

28 Sec. 33. Section 144C.6, subsection 4, Code Supplement  
29 2011, is amended to read as follows:

30 4. A declaration for disposition of remains made by a  
31 service member who died while performing military duty as  
32 defined in section 29A.1, subsection 3, 7A, or 11, ~~or 12~~, on  
33 forms provided and authorized by the department of defense  
34 for service members for this purpose shall constitute a valid  
35 declaration of designee for purposes of this chapter.

1 Sec. 34. Section 260C.14, subsection 20, unnumbered  
2 paragraph 1, Code 2011, is amended to read as follows:

3 Adopt a policy to offer not less than the following options  
4 to a student who is a member, or the spouse of a member if  
5 the member has a dependent child as defined in subsection 14,  
6 paragraph "b", subparagraph (2), subparagraph division (a), of  
7 the Iowa national guard or reserve forces of the United States  
8 and who is ordered to ~~state military service~~ national guard  
9 duty or federal ~~service~~ or active duty:

10 Sec. 35. Section 261.9, subsection 1, paragraph g,  
11 subparagraph (1), unnumbered paragraph 1, Code Supplement 2011,  
12 is amended to read as follows:

13 Adopts a policy to offer not less than the following options  
14 to a student who is a member, or the spouse of a member if  
15 the member has a dependent child, of the Iowa national guard  
16 or reserve forces of the United States and who is ordered to  
17 ~~state military service~~ national guard duty or federal ~~service~~  
18 or active duty:

19 Sec. 36. Section 262.9, subsection 30, unnumbered paragraph  
20 1, Code Supplement 2011, is amended to read as follows:

21 Direct the institutions of higher education under its  
22 control to adopt a policy to offer not less than the following  
23 options to a student who is a member, or the spouse of a member  
24 if the member has a dependent child as defined in subsection  
25 17, paragraph "b", subparagraph (2), subparagraph division (a),  
26 of the Iowa national guard or reserve forces of the United  
27 States and who is ordered to ~~state military service~~ national  
28 guard duty or federal ~~service~~ or active duty:

29 Sec. 37. Section 422.7, subsection 38, Code Supplement  
30 2011, is amended to read as follows:

31 38. Subtract, to the extent not otherwise excluded, the  
32 amount of withdrawals from qualified retirement plan accounts  
33 made during the tax year if the taxpayer or taxpayer's spouse  
34 is a member of the Iowa national guard or reserve forces of the  
35 United States who is ordered to ~~state military service~~ national

1 guard duty or federal ~~service~~ or active duty. In addition,  
2 a penalty for such withdrawals shall not be assessed by the  
3 state.

4 Sec. 38. Section 483A.24, subsection 14, Code Supplement  
5 2011, is amended to read as follows:

6 14. Upon payment of the fee of five dollars for a lifetime  
7 fishing license or lifetime hunting and fishing combined  
8 license, the department shall issue a lifetime fishing license  
9 or lifetime hunting and fishing combined license to a resident  
10 of Iowa who has served in the armed forces of the United States  
11 on ~~active federal service~~ active duty and who was disabled or  
12 was a prisoner of war during that veteran's military service.  
13 The department shall prepare an application to be used by  
14 a person requesting a lifetime fishing license or lifetime  
15 hunting and fishing combined license under this subsection.  
16 The department of veterans affairs shall assist the department  
17 in verifying the status or claims of applicants under this  
18 subsection. As used in this subsection, "*disabled*" means  
19 entitled to a service connected rating under 38 U.S.C. ch. 11.

20 Sec. 39. Section 654.1A, Code 2011, is amended to read as  
21 follows:

22 **654.1A Maintenance of mortgagor protections —**  
23 **discontinuation of occupation.**

24 For purposes of sections 615.1, 615.3, 628.28, 654.2D,  
25 654.20, 654.21, and 654.26, property shall be deemed the  
26 residence of and occupied by the mortgagor where occupation  
27 has ceased because of the effects of natural disaster, injury  
28 to the property not willfully caused by the mortgagor, or the  
29 mortgagor's ~~state military service~~ national guard duty or  
30 federal ~~military service~~ active duty as those terms are defined  
31 in section 29A.1.

32 Sec. 40. Section 724.7, subsection 2, Code Supplement 2011,  
33 is amended to read as follows:

34 2. The commissioner of public safety shall develop a process  
35 to allow service members deployed for military service to

1 submit a renewal of a nonprofessional permit to carry weapons  
2 early and by mail. In addition, a permit issued to a service  
3 member who is deployed for military service, as defined in  
4 section 29A.1, subsection 3, 7A, or 11, ~~or 12~~, that would  
5 otherwise expire during the period of deployment shall remain  
6 valid for ninety days after the end of the service member's  
7 deployment.

8 Sec. 41. 2011 Iowa Acts, chapter 127, section 2, is amended  
9 by adding the following new subsection:

10 NEW SUBSECTION. 5. This section shall not apply to leases  
11 entered into by the department of public defense or the armory  
12 board.

13 Sec. 42. MILITARY OCCUPATIONAL SPECIALTIES AND PROFESSIONAL  
14 CERTIFICATIONS STUDY COMMITTEE.

15 1. The legislative council is requested to establish  
16 a military occupational specialties and professional  
17 certifications study committee. The study committee shall  
18 assess the feasibility of allowing military occupational  
19 specialties to be counted toward professional certifications or  
20 other certifications required in Iowa for certain occupations,  
21 and shall recommend legislative or administrative rule changes  
22 relating to such requirements.

23 2. The study committee shall meet during the 2012  
24 legislative interim. The study committee shall submit a report  
25 and recommendations to the general assembly by January 1, 2013.

26 Sec. 43. EFFECTIVE UPON ENACTMENT. The following  
27 provision or provisions of this Act, being deemed of immediate  
28 importance, take effect upon enactment:

29 1. The section of this Act amending section 29A.90,  
30 subsection 3.

31 EXPLANATION

32 This bill relates to the department of public defense. The  
33 bill exempts the department of public defense and the armory  
34 board from the requirement that all state property leases be  
35 administered by the department of administrative services.

1 The bill changes the term "federal service" in Code section  
2 29A.1, subsection 3, to "federal active duty" and defines the  
3 term to conform more closely to the definition found in 10  
4 U.S.C. § 101. The bill makes conforming changes throughout the  
5 Code.

6 The bill changes the term "state military service" to  
7 "national guard duty" and defines the term to mean training or  
8 other duty in accordance with 32 U.S.C. in the national guard  
9 that is paid for with federal funds. The term includes but is  
10 not limited to full-time national guard duty, inactive duty  
11 training, and annual training.

12 The bill provides that the quartermaster shall be  
13 responsible for all state military facilities, in addition  
14 to state military property. The bill also strikes  
15 reporting requirements and bond requirements relating to the  
16 quartermaster.

17 The bill amends the definition of "military service",  
18 relating to suspension or postponement of the performance of  
19 certain civil obligations while a person is engaged in military  
20 service, by reducing the period of duty required from 90  
21 days to 30 days. This section of the bill takes effect upon  
22 enactment.

23 The bill requests that the legislative council appoint an  
24 interim study committee to assess the feasibility of allowing  
25 military occupational specialty training to qualify toward  
26 professional or other certifications required in Iowa for  
27 certain occupations and to recommend legislative or regulatory  
28 changes to implement that.